

### ***Claim Rejections - 35 USC § 103***

The Examiner rejects claims 1-42 under 35 USC § 103 as obvious in view of the combination of Sutcliffe (U.S. patent no. 6,253,216) and Brown (U.S. patent no. 6,026,368). Applicant respectfully traverses this rejection.

Applicant asserts that claims 1-42 are patentable over the combination of Sutcliffe and Brown. The Examiner admits that Sutcliffe fails to teach or suggest the rules recited in claim 1, but asserts that all of the other features recited in claims 1, 11, 21, 31 and 41, the independent claims, are taught by Sutcliffe. Applicant asserts that Sutcliffe fails to teach or suggest the features recited in claim 1 and the other independent claims.

Generally, Sutcliffe teaches a method and apparatus for an Internet user to submit a personal page to a personal ad website. Part of the system of Sutcliffe involves a user of a personal computer searching a personal ad database 96 maintained on a personals on-line network website via the Internet. (Sutcliffe, col. 7, lines 9-30). Sutcliffe also describes how a user may input data including photos to place a personal ad on a personals on-line network website via the Internet by use of templates located on the website. (Sutcliffe, col. 7, lines 9-30; col. 8, line 34- col. 9, line 55). In view of the functionality of Sutcliffe, it should be clear that Sutcliffe neither teaches nor suggests the features recited in claim 1.

More specifically, the Examiner asserts that Sutcliffe teaches "selecting a first program object from a first set of available program objects based in part upon profile data associated with a local device," citing col. 8, lines 18-22. However, the teaching at this location of Sutcliffe only describes how the system of Sutcliffe stores certain personal profile and other data regarding a user on a server in the form of personal page values table 134. The cited portion of Sutcliffe in no way teaches or suggests the program object recited in claim 1.

As to program objects and resources, the Examiner is asserting that a regular HTML web page sent from a server to a remote user as taught by Sutcliffe teaches what is recited in claim 1. However, claim 1 recites a customized Internet access client. In no place does claim 1 mention the use of an Internet web browser. The difference between what the Examiner is asserting and

what is claimed is that the Examiner is referring to a server sending instructions and scripts to a browser, whereas the claim recites what amounts to a client application. The difference is described in the patent application as the difference between a "browser application" and a "client application." (p. 11, lines 5-17 of the specification) In view of this distinction, Sutcliffe neither teaches nor suggests any of the features of the Internet access client and the customized Internet access client user interface recited in claim 1.

The Examiner further asserts that user interface templates are taught by Sutcliffe. However, applicant recites in claim 1 "sending a second rule to the local device to assign the first program component to a first slot associated with a template for an Internet access client user interface." Sutcliffe fails to teach or suggest a template for an for an Internet access client or an Internet access client user interface.

As set forth in the preceding paragraphs, Sutcliffe fails to teach or suggest the features recited in claim 1.

As to Brown, the Examiner asserts that Brown teaches the rules which the Examiner asserts are lacking in Sutcliffe. However, Brown fails to cure the deficiencies of Sutcliffe. Brown fails to teach or suggest "sending a first rule to the local device to associate the first program object with the first program resource to form a first program component" and "sending a second rule to the local device to assign the first program component to a first slot associated with a template for an Internet access client user interface" as recited in claim 1.

Brown cannot teach or suggest a first rule that associates a first program object with the first program resource to form a first program component because Brown fails to teach or suggest associating objects to resources to form program components. Further Brown cannot teach or suggest a second rule that assigns the first program component to a first slot associated with a template for an Internet access client user interface because Brown fails to teach or suggest assigning program components to slots associated with a template for an Internet access client user interface. The office action fails to cite to where Brown teaches or recites these limitations.

The office action merely states that rules related to program objects are taught by elements 101 and 110 or Fig. 6 and at col. 9, lines 34-36 of Brown. Elements 101 and 110 of

Fig. 6 are rules and a rule editor, respectively. (Brown, col., 9, lines 6-24). The rules described in Brown relate to targeting data storage in the context of a server and are used exclusively on the server. That is, the rules are not downloaded or otherwise sent to a client, but are used to manage queues and other information on a server. (Brown, col. 2, lines 14-27; col., 9, lines 6-24). As such, the rules in Brown in no way teach or suggest the rules recited in claim 1.

In addition, at col. 9, lines 34-36, Brown teaches profile editor software in a queue builder which human targeting analysts also known as rule developers may use to create definitions for groups of subscribers, content segments and content locations. The human targeting analysts may build database selection criteria using the profile editor. As such, the rules in Brown in no way teach or suggest the rules and related functionality recited in claim 1.

The office action also mentions Table 7 of Brown regarding using rule identifiers to uniquely identify rules. The discussion of the rule identifier and the other information in Table 7 of Brown in no way teaches or recites any of the features recited in claim 1 as the rule identifier described regarding Table 7 of Brown involves the rule editor 110 used on a server computer and involved with maintaining information on a server. The rules are not sent to a local device as recited in claim 1 and do not achieve the same end results as the rules recited in claim 1. Therefore, the cited portions of Brown fail to teach or suggest features recited in claim 1 as discussed in the prior paragraphs.

Applicant reiterates that Brown fails to teach or suggest “sending a first rule to the local device to associate the first program object with the first program resource to form a first program component” and “sending a second rule to the local device to assign the first program component to a first slot associated with a template for an Internet access client user interface” as recited in claim one.

In addition, the office action asserts that, based on the Abstract, Fig. 1 and Fig. 2 of Sutcliffe, those skilled in the art would have been motivated to incorporate the rules of Brown with the teachings of Sutcliffe. However, there is no motivation to combine the teaching of the rules of Brown with Sutcliffe to arrive at the invention recited in claim 1. Rules used in managing queues on a server as recited in Brown fail to teach or suggest the rules recited in claim

1 which are sent to a local device to associate program objects with program resources to form a program component, and are sent to assign a program component to a slot associated with a template for an Internet access client user interface. Even if *in arguendo* Brown and Sutcliffe were combined, the teachings of Brown do not teach the rule association and assignment and their effects as discussed hereinabove and set forth in claim 1. In this way, the teachings of Brown fail to cure the deficiencies of Sutcliffe.

To the extent the limitations recited in claim 1 are included in the other independent claims, namely claims 11, 21, 31 and 41, the arguments in the preceding paragraphs are applicable to these claims as well.

Therefore, all of the limitations recited in the independent claims are neither taught nor suggested by the combination of Brown and Sutcliffe. Thus, claims 1, 11, 21, 31 and 41, and all claims depending thereon, are patentable over the cited art.

#### Conclusion

In view of all of the above, it is respectfully submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned attorney to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

Respectfully submitted,

Date: March 3, 2003



Mark A. Goldstein, Reg. No. 50,759

SoCal IP Law Group  
310 N. Westlake Blvd., Suite 120  
Westlake Village, CA 91362  
Telephone: 805/230-1350, ext. 24  
Facsimile: 805/230-1355  
email: mgoldstein@socalip.com

**Addendum**

**Marked-Up Version of the Title of the Invention**

A Dynamically Targeted User Interface [UI] for an Internet Client